

REMARKS

Applicants acknowledge the Examiner's time and courtesy during the interview of January 8, 2003. See Interview Summary sheet.

Claim 19

Applicants note that claim 19 was not addressed in the final Office Action mailed October 17, 2002, despite being added by Applicants' last paper filed August 5, 2002. Consequently, Applicants respectfully submit that the finality of the Office Action should be withdrawn so that claim 19 can be considered and Applicants may respond accordingly.

Claim Rejections under 35 U.S.C. §103

Applicants acknowledge that defining the porous network of zeolite containing a group VIB metal would overcome the various rejections under 35 U.S.C. §103 over Pollitzer in view of Jan. See Interview Summary sheet. Applicants have amended claim 1 so that the zeolite contains in the porous network at least one element of group VIB. Consequently, Applicants respectfully submit that the prior art rejections should be withdrawn. Furthermore, Applicants have added claims 20-25 further distinguishing the cited references.

Claim Amendments

Applicants have also amended depended claims 9-11 to change their dependency from claim 1 to newly added claim 20. This amendment was made to ensure antecedent basis for at least one element of group VIII in the porous network of the zeolite. Consequently, Applicants respectfully submit that these amendments to claims 9-11 do not narrow the scope of these claims.

Claim Rejections under Non-Statutory Double Patenting

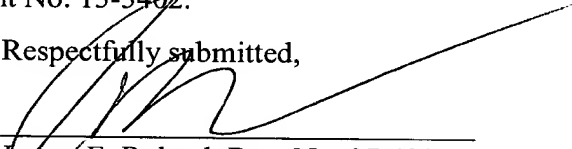
Claims 1-12 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-11 and 22 of co-pending application number 09/603,837. Applicants respectfully submit that if this

provisional double patenting rejection is the only rejection remaining in the case, the rejection should be withdrawn with respect to the present application to permit this application to issue. See M.P.E.P. §804.

In view of the above remarks, favorable reconsideration is courteously requested. Attached hereto is a marked-up version of the changes made to the claims of the current amendment. The attached page is captioned, **"VERSION WITH MARKINGS TO SHOW CHANGES MADE"**. If there are any remaining issues which can be expedited by telephone conference, the Examiner is courteously invited to telephone counsel at the number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Please amend the claims 1, and 9-11 as follows:

1. (Thrice Amended) A catalyst comprising at least one oxide matrix, at least one zeolite having a porous network and at least one hydro-dehydrogenating element located on the matrix and selected from the group consisting of elements of groups VIB and VIII, wherein the zeolite contains in said porous network at least one element of group VIB ~~and/or group VIII~~, the catalyst also comprising at least one promoter element selected from the group consisting of boron, silicon, and phosphorous.

9. (Thrice Amended) A catalyst according to claim 1, 20 containing in % by weight:

- 0.1 to 98.7% of zeolite,
- 1 to 99.7% of matrix,
- at least one of the elements of groups VIB and/or VIII at a concentration of 0.1-40% of an element of group VIB, and/or 0.1 to 30% of an element of group VIII (% by weight of oxide),
- at most 20% (% by weight of oxide) of at least one promoter element that is selected from the group consisting of boron, silicon and phosphorus,
- 0-20% of at least one element of group VIIA,

and in which the zeolite contains in its porous network (in % by weight of oxide in the catalyst) at least one of the elements of groups VIB and/or VIII at a concentration of 0.1-10% by weight of an element of group VIB and/or 0.1-10% by weight of an element of group VIII.

10. (Thrice Amended) A catalyst according to claim \pm 20, prepared by:
- a) introducing into the zeolite at least one element of group VIB and/or group VIII;
 - b) mixing the zeolite with the matrix and shaping the resultant mixture to obtain the substrate, and
 - c) introducing at least one promoter element by impregnation and introducing at least one hydro-dehydrogenating element in the matrix or on the substrate by at least one of the following methods so as to obtain a final product:
 - adding at least one compound of said hydro-dehydrogenating element during the shaping to introduce at least a portion of said element,
 - impregnation of the substrate with at least one compound of said hydro-dehydrogenating element;
 - d) drying and calcining the final product and optionally drying and/or calcining intermediate products obtained at the end of stages a) or b) or after the impregnation (c).
11. (Twice Amended) A catalyst according to claim \pm 20, prepared by:
- a) optionally introducing into the zeolite at least a portion of at least one element of group VIII,
 - b) mixing the zeolite with the matrix and shaping and calcining the resultant mixture to obtain a calcined substrate,
 - c) subjecting the calcined substrate to ion exchange with a solution of at least one compound of group VIII, and impregnating said calcined substrate with at least one promoter element to obtain a final product,
 - d) drying and calcining the final product and optionally drying and/or calcining of intermediate products obtained at the end of stage a).